C.J.'s Court

Criminal Misc. Application No. 28 of 2003

Chaman and others	…….....	Applicants
	Versus	
State of Uttaranchal	……	Respondent

…..

Hon.A.A.Desai, C.J.

Heard Sri Arvind Vashistha, learned counsel for the applicant and learned Government Advocate.

With the assistance of Sri Arvind Vashista, learned counsel for the applicants, I have perused the order of the Sessions Judge. It appears that before the Sessions Judge the applicants have not applied for bail. Only relief they have claimed is that they be allowed to remain on the bail on the bail bonds earlier furnished. The learned Sessions Judge rejected the same prayer. Therefore, they have approached to this Court for the grant of bail.

In the absence of the bail application and an order thereon, it is a not expedient to entertain the instant application. However, it is open for the applicants to approach to the Sessions Judge concerned for the grant of additional bail for the offence punishable under section 307 I.P.C. The Sessions Judge shall consider the same on merit and connected circumstances and decide the claim of the applicants according to law at the earliest.

The application is disposed of accordingly.

(A.A. Desai,C.J.)

Dt. 03.03.2003

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